

SURVEY OF WORKPLACE SMOKING RESTRICTIONS

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Survey of Workplace Smoking Restrictions

I. INTRODUCTION

As evidenced by recent media attention and increased activity by anti-smoking groups in this area, the restriction of workplace smoking has become an important issue warranting tobacco industry concern and action.

To insure that the concern is well-based and the action is well-planned, The Tobacco Institute has developed this survey of corporate smoking control policies. The information was collected through a search of data bases, review of literature, contact with trade associations and reports from Institute field staff.

By no means is this survey a complete catalog of workplace smoking restrictions in the private and public sectors. After all, there are over three million operating businesses in the United States today. However, without being exhaustive, the survey highlights the marked increase in and the nature of anti-smoking activity in the work environment.

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In 1982, the American Lung Association targeted "smoking in the workplace" as the primary issue in the nonsmokers' rights movement. Also, Smokenders established a corporate services division to market its smoking cessation program to the business community.

Through legislative and regulatory mandates, state and local governments became more involved in anti-smoking activity. For example, in California a law was enacted which essentially requires that each state department adopt the state Personnel Board's existing restrictive policy on smoking or develop a new policy with certain limitations. In Kansas, the state health department has begun a new program - Project Vote - to encourage employers to allow an employee plebiscite on whether smoking should be permitted in their workplace.

Federal and state courts provided notable legal victories for anti-smoking interests. In Vickers v. Veterans Administration, a U.S. District Court ruled that a federal employee who is hypersensitive to tobacco smoke is "handicapped" within the meaning of the Rehabilitation Act of 1973. The Missouri Court of Appeals, in Smith v. Western Electric Co., held that an employee may have a common law duty to ensure a smoke-free environment for employees sensitive to burning tobacco.

Each day brings with it new developments on "smoking in the workplace" - few, if any, of which will have a salutary effect on the tobacco industry. It is with this important understanding in mind that the "Survey of Workplace Restrictions" has been compiled. The information presented here is only a first - but key - step in addressing this complex issue. Already, The Tobacco Institute is preparing a detailed bibliography on workplace smoking, which will further assist the industry in confronting this important problem in the 1980s.

Information Services
The Tobacco Institute

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II. SMOKING CESSATION PROGRAMS

- A. "Freedom from Smoking": Sponsored by the American Lung Association, this nationwide program, consisting of smoking cessation clinics and literature, is aimed specifically at employee smoking. The following sample of companies have participated in "Freedom from Smoking":

Blue-Cross-Blue Shield, Research Triangle Park, NC
Boeing Co., WA
Burroughs Welcome, Research Triangle Park, NC
Eddie Bauer Inc., WA
EDS Federal, Cary, NC
EPA, Research Triangle Park, NC
Equitable Life Assurance Co., Charlotte, NC
General Electric, Research Triangle Park, NC
Hanes Knitwear, Winston-Salem, NC
IBM, Raleigh, NC
North Pacific Insurance Co., WA
Seattle First National Bank, WA
Springdale Mills, Rutherfordton, NC
WRAL Television, Raleigh, NC

- B. Smokenders: In 1982, Smokenders established a Corporate & Group Services Division. The pamphlet advertising this new aspect of Smokenders' operations claims each smoking employee costs a company \$4600 and 75% of smoking employees want to quit smoking. It goes on to report the unsubstantiated allegations of Professor William L. Weis, a leading anti-smoking figure in the effort to restrict workplace smoking. In an apparent attempt to gain credibility for its claims and clients for its business, Smokenders includes in its pamphlet the following list of organizations which have participated in the Smokenders' program:

Allied Chemical
American Can
American Express
American Petrofina, Inc.
Anheuser-Busch, Inc.
AT & T
Bally's Park Place Casino
Blue Cross and Blue Shield
Boeing Company
Chase Manhattan Bank
Computer Vision
Connecticut General Life Insurance Co.
Consolidated Freightways

Daon Corporation
DeLoitte Haskens & Sells
Dewey Ballentine
Bushby Palmer & Wood
Dow Chemical Company
Doyle Dane Bernbach
Eaton Corporation
Educational Audio Visual
Ernst & Whinney
Fairchild Test Systems
Farrand Industries Inc.
Federal Home Loan Bank New York
Federal Reserve Bank

II. SMOKING CESSATION PROGRAMS

<u>General Dynamics</u>	<u>Cancer Therapy &</u>
<u>General Electric Co.</u>	<u>Research Center</u>
<u>General Telephone of Florida</u>	<u>San Antonio, TX</u>
<u>Hartford Insurance Co.</u>	<u>Cherry Hill Hospital</u>
<u>Harvard University</u>	<u>Cherry Hill, NJ</u>
<u>Honeywell</u>	<u>The Cleveland Clinic</u>
<u>Inductotherm Corp.</u>	<u>Cleveland, Ohio</u>
<u>Intsel Corp.</u>	<u>Columbia Presbyterian</u>
<u>Johns-Manville Corp.</u>	<u>Hospital, NYC</u>
<u>Johnson & Johnson</u>	<u>Grand Prairie Community</u>
<u>Kaiser Aluminum</u>	<u>Hospital,</u>
<u>Lear Siegler, Inc.</u>	<u>Grand Prairie, TX</u>
<u>Lever Brothers</u>	<u>Hershey Medical Center</u>
<u>Lockheed</u>	<u>Hershey, PA</u>
<u>Los Angeles Times</u>	<u>Homewood Hospital</u>
<u>Merck & Co. Inc.</u>	<u>Guleph, ONT</u>
<u>Mobil Oil</u>	<u>Veterans Administration</u>
<u>Montclair State University</u>	<u>Hospital</u>
<u>National Broadcasting Co., Inc.</u>	<u>Albuquerque, NM</u>
<u>New York Times</u>	
<u>Northwestern Bell Telephone</u>	
<u>Olinkraft, Inc.</u>	
<u>PepsiCo.</u>	
<u>Queensboro Community College</u>	
<u>Rockwell International</u>	
<u>Rodale Press, Inc.</u>	
<u>Salomon Bros.</u>	
<u>Shaklee Corporation</u>	
<u>Singer-Kearfot</u>	
<u>Society National Bank of</u>	
<u>Cleveland</u>	
<u>Stouffer Corp., The</u>	
<u>Sun Gas Co.</u>	
<u>Syntex Lab</u>	
<u>Temple Beth Ami</u>	
<u>Texas Instruments, Inc.</u>	
<u>Trammell Crow Company</u>	
<u>TransWorld Airlines, Inc</u>	
<u>Travelers Insurance Co.</u>	
<u>Union Carbide</u>	
<u>United Airlines</u>	
<u>Western Electric</u>	
<u>Xerox Corporation</u>	
<u>Young Men's Christian</u>	
<u>Association, Pottstown, PA</u>	
<u>Young Men's Hebrew</u>	
<u>Association, NY</u>	
<u>American Oncologic</u>	
<u>Hospital, Philadelphia, PA</u>	
<u>Blue Cross Employees</u>	
<u>Woodland Hills, CA.</u>	

II. SMOKING CESSATION PROGRAMS

- C. Employee Programs: A number of companies utilize an incentive program, or some variation, to assist employees with smoking cessation efforts. For example, a business may give cash bonuses to employees who stop smoking or it may encourage employee participation in organized smoking cessation programs through the payment of fees. The companies listed below illustrate the variety of employer programs.

Alcoa honors employees who have stopped smoking by posting their pictures in a lobby display.

American Cancer Society and the American Heart Association offer stop-smoking programs for employees.

American Health Foundation offered a smoking cessation program at no cost to employees which was conducted on company time and in company facilities.

Becton Dickinson and Company offered manuals at cost to employees, then returned the money to employees when they quit smoking.

Blue Cross-Blue Shield of New Jersey has run in-house cessation programs.

Burger King, at its headquarters in Miami, FL, featured a "Freedom from Smoking" manual in its "Employee Service Bulletin." A special coupon requested that employees contact the Dade-Monroe Lung Association.

Campbell Soup offered smoking cessation programs. It cost the company \$500 for every employee who quit smoking, mainly for time off the job. About 70 employees participated-- a 20% quit rate.

Consolidated Edison Co. Employees pay their own way through stop-smoking programs but Con Ed adds an extra: spouses of employees are also invited to attend the clinics at the reduced rates.

Cybertek Computer Products, Inc., in Los Angeles, CA, offers employees a \$500 bonus if they quit smoking.

G. W. Dahl Co., Inc., (Bristol, RI.) offers a monetary bonus program to encourage employees to stop smoking. It has been in effect for 13 years.

II. SMOKING CESSATION PROGRAMS

Deluxe Check Printers offered the "Freedom from Smoking" manuals at company expense to all 900 employees. Also offered special personal checks that feature "Thanks for not Smoking" imprints.

Dow Chemical division in Midland, TX, has awarded money in a special lottery for nonsmokers.

Ebsco Industries in Red Bank, NJ, sponsored a program in the early 1970s to pay a \$10-per-month bonus to employees who stated they did not smoke. Reporting was entirely on the honor system. Employees who were previously nonsmokers and smokers who quit received the bonus, paid at year's end. The program was instituted by a senior vice president, himself an ex-smoker, who was struck one day by the amount of smoke he encountered as he walked into the company's cafeteria.

Educational Testing Service in Princeton, NJ, has an educational program, with sessions on company time and on employees' time, led by staff and assisted by a non-profit group.

Fafnir Bearings (CT) - is using "Freedom from Smoking" manuals.

G. Fox & Co. sponsored lung association workshops on smoking and health.

General Foods helps employees pay for smoking-cessation courses.

General Motors Corp. subsidizes the Smokenders program for over 600 employees in New York offices.

Hoffman-LaRoche offers partial payment for any off-site smoking cessation program chosen by employees.

IBM initiated a Health Education Program in 2/81 which includes a smoking cessation course. The course is available free to employees, retirees and families. Also promoted "Freedom from Smoking" manuals.

Instematic Inc. (IL) which manufactures small electrical appliances, offers its smoking employees incentives to quit. It has run three separate programs. In one program, employees could bet the company up to \$100 that they would quit smoking for one year. In the most recent campaign, 18 quitters were eligible for a lottery.

II. SMOKING CESSATION PROGRAMS

JC Penney Co. Inc. (NYC) offers free guidance and counseling and directs employees to stop smoking programs of the American Cancer Society.

The Leslie Company (NJ) used the American Cancer Society smoking cessation clinic (educational, behavior modification) on part company time and part employee time with no charge to participants or employer.

Massachusetts Mutual Life Insurance will pay up to \$100 for 2 hypnosis sessions performed by qualified physicians or psychologists. Half the payment is made when the treatment begins and half after six months, assuming the patient has stopped smoking.

Miles Laboratory (Elkhart, IN) using its corporate training department, conducted a program which was based on the ACS program. As a result, the participants have formed an "I Quit Club" open to all who complete the class.

NY Institute of Hypnotherapy offers stop-smoking programs at special industry rates.

NY Telephone sponsored smoking cessation programs.

NY Life Insurance Co. offered at company expense copies of the "Freedom from Smoking" self-help manuals to group policy holders.

Riveria Motors (OR), since 1978, has run annual smoking-cessation classes and has maintained a psychological "support system" for those who were trying to quit.

Sears Roebuck & Co.'s New York fashion buying office offered employees the 5-week Smokenders program. Approximately half the cost was refunded to employees who were still not smoking 6 months after the end of the program.

South Central Bell through the company newsletter and with the assistance of the ALA of Alabama, promoted the coupon for the "Freedom from Smoking" manual.

Union Pacific set up displays and offered "Freedom from Smoking" manuals to employees in company offices in LA, Portland, Omaha, Salt Lake City, Denver and Kansas City.

Youngstown Steel and Alloy Co. initiated a \$1,000 bonus and savings plan for staff members who stopped smoking.

Zales Corp. of Dallas, TX, offered a one-time program a few years ago. Those who did not smoke following the Seventh-day Adventist Plan were refunded the fee.

III. UNWRITTEN SMOKING RESTRICTION POLICIES

AT & T (Whippany, NJ) has designated 70% of its cafeteria for nonsmokers.

Bank of California permits employees to post "no-smoking" signs at their desks.

Bell Laboratories has divided its cafeteria into smoking and nonsmoking.

Becker Electrical Co. (Arlington, VA) imposed a no-smoking policy on behalf of a bookkeeper who claimed she got sick from being around smoke. The 85 employees have been instructed not to smoke in the office area of the building.

Boeing segregates smokers and nonsmokers in cafeterias and wherever individual problems arise.

Chicago Tribune, although it has no written company policy regarding smoking, has taken certain steps to make sure that the rights and privileges of both smokers and nonsmokers are not abused, including designating certain rooms and locations as no-smoking areas, dividing lunchrooms into smoking and nonsmoking areas, not allowing smoking on elevators and adding new and more efficient ventilating systems throughout the building.

Continental Illinois Bank set up no-smoking sections in employee lounges.

General Mills (MN) has smoking and nonsmoking areas and numerous health education activities to encourage employees not to smoke, but no actual incentive programs.

Gillette, (Boston, MA) has 1,200 employees. Smoking is permitted with the exception of one room in the cafeteria.

IBM has established no-smoking sections in cafeterias and smoking bans in elevators and copy rooms. Also provides no smoking signs on request from employees. Smoking in conference rooms is governed by a set of guidelines that takes into account factors such as ventilation and room size.

International Mktg. Group Inc. (Arlington, VA) advertised for a nonsmoker.

New England Mutual Life Insurance Co. (Boston, MA) has signs requesting no smoking in the presence of nonsmokers, placed in all meeting and conference rooms.

J.C. Penney and NLT Corp have established no-smoking sections in company cafeterias.

III. UNWRITTEN SMOKING RESTRICTION POLICIES

Matthew Levine, president of Pacific Select Corp., a San Francisco, CA, sports marketing firm, refuses to hire smokers because he claims they would irritate their co-workers and they would frustrate his efforts to maintain a "clean, fresh atmosphere" in the company offices. ("Many Burned-Up Bosses Snuff Out Employment Prospects of Smokers" Wall Street Journal, 4/15/82).

The Oak Brook, IL, office of Peat, Marwick, Mitchell & Co. "makes a point of hiring a non-smoking receptionist" as a matter of personal appearance. "It's always more impresssive to meet a person who doesn't smell like a smoker or have a cigaret hanging out of her mouth," the administrative assistant who does the hiring said. (Wall Street Journal, 4/15/82).

Minneapolis-based Physical Electronic Division of Perkin-Elmer Corp. limited smoking to two employee lounges back in 1974.

Riviera Motors, a Volkswagen/Porsche/Audi dealership in Hillsboro, OR, restricts on-the-job smoking to specified areas.

All meeting rooms at the New York City offices of Sears Roebuck and Co. have smoking and no-smoking sections. Nonsmokers have signs on their desk saying, "Thank you for not smoking."

State of Oregon bans smoking in all its meeting rooms.

Travelers Insurance Companies (Hartford, CT) limits smoking, where practical, in areas where air movement is minimal, or in confined areas where smoke may cause discomfort to nonsmokers regardless of air circulation. Two lunchrooms have been set aside for nonsmokers, and smoking in the auditorium, classrooms, and elevators has been prohibited.

The Wall Street Journal divides its New York copy desk into smoking and nonsmoking areas.

Curtis Wright (Caldwell, NJ) which has no smoking in much of its manufacturing area, recently banned smoking in an enclosed testing room after receiving complaints from nonsmokers. The restriction was accepted by the union.

Zale Corporation's smoking rules vary among departments and are set by department managers. The only company-wide regulations provide for nonsmoking areas in the cafeteria, and no smoking in elevators (by city regulation).

IV. WRITTEN SMOKING RESTRICTION POLICIES

Adrian Construction (TX) has a nonsmoking code which applies to office workers. The firm forbids secretaries and clerks to smoke but permits the smoking habit among professionals.

American Biltrite (Trenton, NJ) "Amtico," an asbestos handler, has a smoking ban in offices and factory.

Austad Company is a mail-order sports equipment outfit with a showroom and retail store in Sioux Falls, SD. Oscar Austad, who started the company in 1963, has never permitted smoking-- no one is allowed to smoke-- not workers, customers or sales people. Any employee caught smoking is immediately fired.

HR Block (Madison, WI) Client complaints led management to forbid smoking in all but ventilated restrooms.

Brewster Realty and Investment Co. (TX) will not have smoking employees, claiming they are frequently sick.

Campbell Soup Company has banned smoking on the job since the company was founded in 1869. Smoking is permitted only in designated break areas.

Control Data Corp. (MN) According to an ALA of WA newsletter, CDC has issued as policy statement that "those areas of our buildings in general use by employees will be nonsmoking, except where specific 'smoking permitted' areas are designated." Control Data was one of the first national corporations to develop an extensive nationwide policy on smoking.

Dean Equipment and Furniture Company (Fairfield, NJ) No smoking allowed anywhere in this company of eight employees.

Florida Life Care. All 700 employees have been restricted from smoking at work. Dr. Karl R. Rolls, president and chairman of the board, cited computer equipment that can not tolerate tobacco smoke as a primary reason for the rule.

G. Fox & Co. has banned smoking since 1977 in offices where more than one person works.

IV. WRITTEN SMOKING RESTRICTION POLICIES

U.S. General Services Administration rules ban smoking in libraries and shuttle vehicles but permit it in mediation conference rooms of the Federal Mediation and Conciliation Service. GSA regulations specify that employees occupying an office may unanimously declare that space as a 'no smoking' area. They state also that 'no smoking' work areas in open space should be planned, providing that (1) the efficiency of work units is not impaired; (2) additional space will not be required; and (3) that costly alterations will not be needed.

Harvard University adopted a new personnel policy for staff members who smoke within university buildings. If the rights of smokers and nonsmokers come into conflict, the policy calls for the smoker to "respect the expressed wishes and needs of the nonsmoker."

U.S. Department of Health and Human Services adheres to a relatively rigid no-smoking policy. Work areas for smokers and nonsmokers are separate. Any nonsmoker with an especially severe reaction to smoke is given a smoke-free work area.

Johns-Manville, an asbestos manufacturer, bans smoking in plants where asbestos and asbestos products are made. The company instituted the ban in 1976. In some Johns-Manville facilities the ban is total. In others, where unions saw the ban as an issue in contract negotiations, the company has had to set up break areas where smoking is permitted. In implementing the policy, Johns-Manville also announced that they would no longer hire smokers in their asbestos operations.

The no smoking policy also was extended to world headquarters in Denver, CO. Employees may smoke only in private offices and in one part of the dining room.

The Leslie Co. (Parsippany, NJ) which employs 450 people in the manufacturing of valves and regulators for steam systems, does not allow smoking during meetings, in restrooms or in the cafeteria except at designated tables. In addition, the company installed "smoke-eater" units at the intake of major recirculation ducts to help remove smoke from recirculated air.

IV. WRITTEN SMOKING RESTRICTION POLICIES

Merle Norman Cosmetics Co. banned smoking for its 825 employees. It claims to have saved \$13,500 from reduced housekeeping.

Navy Federal Credit Union with offices throughout Northern Virginia discourages smoking. "We have it on our employment application---it's the policy not to have people smoke unless there is a dire need," stated John Battaglia, personnel staff.

New York Telephone provides for separate smoking and nonsmoking sections in areas of common use, such as cafeterias and conference rooms. Employees having private offices can decide for themselves whether to smoke or not. In areas with two or more workers, accommodation is urged, with a series of steps to be followed if someone objects to smoking for medical reasons.

Pratt & Whitney Aircraft, Govt. Products Division, (West Palm Beach, FL) has a policy that does not attempt to ban smoking but restricts it in areas which are frequently shared by smokers and nonsmokers. The policy affects over 7,000 employees.

Radar Electric is a Seattle, WA, firm whose first question on their application asks "Do you smoke?" An affirmative response eliminates the applicant from further employment consideration.

Rodale Press, which publishes an assortment of health and nutrition magazines, employs 800 persons in Emmaus, PA. It began a nonsmoking program by informing employees that smoking would be banned in its offices and plants as of a particular date. Employees who continue to smoke on the job once the ban is in force will be reprimanded. Repeat offenders will be fired.

Simi Valley, CA Post Office instituted a smoking policy in April 1982. There is no smoking allowed on the workroom floor. However, this ruling is being challenged by employees.

Snelling and Snelling Inc. does not hire smokers. Those smokers who remain in its employ are continually offered incentives to kick the habit. Policy has been maintained since 1975. Before that smoking was restricted to work areas.

IV. WRITTEN SMOKING RESTRICTION POLICIES

Spenco Medical Corp. (Waco, TX), has not hired a smoker in 14 years and states it will never do so.

The State of New Jersey in 1980 instituted a new smoking policy for state agencies and employees in which a number of areas are specifically designated no-smoking areas, including entrances, lobbies, elevators, classrooms, auditoriums and conference rooms. Smoking also is prohibited in group work areas unless the occupants unanimously decide otherwise.

Terry Communications (Bradenton, FL) has had the policy of no smoking at work since the business opened 20 years ago, without enforcement problems. The company claims it has a lot of test equipment with gold contact points and smoke tarnishes them.

Thomas Heating and Air Conditioning (Phoenix, AZ) for the past 10 years has not only banned smoking on the premises, but refuses to hire smokers.

U.S. Department of Health and Human Services prohibited smoking in elevators, libraries and conference rooms.

The University of Arizona employees are subject to a new rule that prohibits them from smoking in their offices unless they win the unanimous consent of their coworkers. The rule was drawn up by a committee of faculty and staff members at the urging of University President Henry Koffler. Offenders would be warned, then suspended or fired. The rule became effective 11/1/82.

Western Electric has smoking permitted in all office areas. In the shop area there are specific designated "smoking pens" or "cages". Workers are not allowed to smoke at their benches but may go the smoking pens whenever and for as long as they choose.